

REMARKS

Claims 1, 2, 8, 22, 26, 30, 31, 49, 52, 68, 71 and 73 – 89 have been amended. Claims 1, 30 and 73 have been amended to better capture the claimed invention. Claims 73-89 have been amended to recite a computer accessible medium in place of a carrier medium. No claims have been added or cancelled. Therefore, claims 1 – 89 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Section 112, Second Paragraph, Rejection:

Claims 22-26, 49-52, 68-71 and 85-88 were objected to for lacking antecedent basis for certain terms. Claims 22, 26, 49, 52, 68, 71, 85 and 88 have been amended to overcome the rejection.

Section 102 (e) Rejection:

The Examiner rejected claims 1-3, 6-7, 13-16, 30-32, 34, 40-43, 56-58, 62-64, 73-75, 77 and 80-82 under 35 U.S.C. § 102(e) as being anticipated by Marcos et al. (U.S. Patent 6,347,342) (hereinafter “Marcos”). Applicants respectfully traverse this rejection for at least the following reasons.

Regarding claim 1, contrary to the Examiner’s assertion, Marcos fails to disclose a client sending a first message in a data representation language to a service accessible through the distributed computing environment. The Examiner cites FIGs. 4 and 5, and column 2, lines 1-14 and argues, “the code that the local stub used for packing the message is a data representation language such as C, C++, Object-C, etc.” However, by definition, computer programming languages such as C, C++, Object-C, etc. are not data representation languages. Computer programming languages and data representation languages are two very different types of languages. Marcos does not use a data representation languages. Furthermore, Marcos does not teach the use of languages like

C, C++, and Object-C for messages. Instead, Marcos refers to C, C++, Object-C, etc. as being used as compile languages specific to client and server stubs (see, column 2, lines 4-8). The Examiner has clearly misinterpreted Marcos' teachings.

Secondly, the portion of Marcos cited by the Examiner discusses how traditional CORBA inter-process communication works. It is well known that CORBA inter-process communication does not utilize data representation languages for messages. Instead, as is discussed in the background section of Applicants' Specification, CORBA uses a code-centric programming model to define interfaces between remote components. Furthermore, Marcos also describes how CORBA uses marshalling, i.e. the encoding of parameters, for remote method invocation (Marcos, column 3, lines 12-15). Marshalling of parameters for a remote method call, as is understood by one skilled in the art, does not involve data representation languages.

Thus, Marcos clearly fails to disclose a client sending a first message *in a data representation language* to a service accessible through the distributed environment.

Marcos also fails to disclose generating a first results gate configured to provide an interface to the first results through messages in a data representation language. As noted above, Marcos fails to teach anything regarding using messages in a data representation language. The Examiner cites FIG. 4A and column 2, lines 1-14. However, neither FIG. 4A nor the cited passage describes accessing results generated by a service through messages in a data representation language. As discussed above, the computer programming languages described by Marcos and referred to by the Examiner (C, C++, and Object-C) are not data representation languages.

Additionally, Marcos fails to teach wherein the first results gate is distinct from the client message gate. The Examiner cites column 12, line 48 through column 13, lines 40 of Marcos, presumably referring to the client proxy object returning results to the client application, as taught by Marcos. However, Marcos teaches that the same client proxy object both sends the method request message (*see*, column 12, lines 53 – 59) and

returns the results to the client application (*see*, column 13, lines 31 – 41). Thus, rather than disclosing a client accessing results through a results gate distinct from the gate used to send a message to the server in response to which the server generates the results, Marcos discloses a single client proxy object that both sends the message to the server in response to which the server generates results and that provides the results to the client.

Thus, for at least the reasons given above, the rejection of claim 1 is not supported by the prior art and removal thereof is respectfully requested. Remarks similar to those above regarding claim 1 also apply to claims 20 and 73 with equal force.

Regarding claim 56, contrary to the Examiner's assertion, Marcos fails to disclose a first gate unit configured to send a first message in a data representation language to a service assessable through a distributed computing environment, wherein the service is operable to generate first results in response to the first message; and generate a first results gate, wherein the first results gate is configured to provide an interface to the first results through messages in the data representation language. The Examiner rejects claim 56 for the same reasons as claim 1 was rejected. Thus, the remarks discussed above regarding Marcos' failure to disclose sending messages in a data representation language also apply here. In short, Marcos fails to teach sending message in a data representation language. Instead, Marcos teaches the use of CORBA based RMI messaging, which does not utilize messages in a data representation language. The Examiner cites portions of Marcos that describing using computer programming languages, such as C, C++, and Object-C, for compiling server and client stub objects for inter-process communication. Please refer to the discussion above regarding claim 1 for a more detailed argument regarding Marcos failure to teach the use of messages in a data representation language.

Furthermore, Marcos fails to teach a first gate unit configured to generate a first results gate configured to provide an interface to the first results through messages in the data representation language. Not only does Marcos fail to disclose a results gate configured to provide an interface to results through messages *in a data representation*

language, as discussed above regarding claim 1, Marcos also fails to disclose a first gate unit configured to *generate a first results gate*. The Examiner cites a passage of Marcos that describes how a single client proxy object both sends an RMI message to a server and that provides the results from the server the client. However, the client proxy object does not generate a results gate that provides an interface to the results. Instead, the same object sends the method invocation message and provides the results.

Thus, for at least the reasons presented above, the rejection of claim 56 is not supported by the prior art and removal thereof is respectfully requested.

Regarding claim 3, contrary to the Examiner's assertion, Marcos fails to disclose wherein generating a first results gate is performed by the client gate. The Examiner cites column 10, lines 23-36 and FIG. 8A. Neither FIG. 8A nor the cited passage mentions anything about a client gate generating a first results gate. Instead, FIG. 8A and the cited passage refer to a client using a CORBA ORB 312 to communicate with a server. However, the client stub or proxy object that communicates via ORB 312 does not generate ORB 312. Specifically, Marcos teaches that ORB 312 vends, or registers, itself on the network using a name or other identifier and clients connect to ORB 312 via its registered name (column 8, lines 52-59). Thus, Marcos clearly fails to teach a client gate generating a results gate.

Thus, the rejection of claim 3 is not supported by the prior art and its removal is respectfully requested. Similar remarks as those above regarding claim 3 also apply to claims 32 and 75.

Section 103(a) Rejection:

The Office Action rejected claims 4-5, 33 and 76 under 35 U.S.C. § 103(a) as being unpatentable over Marcos as applied to claims 1-3, 6-7, 13-16, 30-32, 34, 40-43, 56-58, 62-64, 73-75, 77 and 80-82 above, and further in view of Kingdon (U.S. Patent 5,349,642), claims 27-28 and 53-54 as being unpatentable over Marcos as applied to

claims 1-3, 6-7, 13-16, 30-32, 34, 40-43, 56-58, 62-64, 73-75, 77 and 80-82 above, and claims 29, 55, 72 and 89 as being unpatentable over Marcos 4-5, 33 and 76 as applied to claims 1-3, 6-7, 13-16, 30-32, 34, 40-43, 56-58, 62-64, 73-75, 77 and 80-82 above, and further in view of Bergman, et al. (U.S. Patent 6,564,263) (hereinafter "Bergman"). Applicants traverse these rejections for at least the reasons given above in regard to Marcos. The other cited references contain no teachings that would overcome the shortcoming of Marcos noted above in regard to Applicants' independent claims.

In regard to the rejections under both sections 102 & 103, Applicants also assert that the rejection of numerous ones of the dependent claims is further unsupported by the teachings of the cited art. However, since the rejection of the independent claims has been shown to be improper, a further discussion of the rejection of the dependent claims is not necessary at this time. Applicants reserve the right to present additional arguments at a later time if necessary.

Allowable Subject Matter:

Claims 8-12, 17-26, 35-39, 44-52, 59-61, 65-71, 78-79 and 83-88 were objected to as being dependent upon a rejected base claim but otherwise allowable if rewritten in independent form. In light of the above remarks, Applicants assert that claims 8-12, 17-26, 35-39, 44-52, 59-61, 65-71, 78-79 and 83-88 are allowable as depending from patentable distinct base claims. Applicants therefore respectfully request allowance of claims 8-12, 17-26, 35-39, 44-52, 59-61, 65-71, 78-79 and 83-88 as currently pending.

CONCLUSION

Applicants submit the application is in condition for allowance, and notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above referenced application from becoming abandoned, Applicants hereby petition for such an extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5181-66100/RCK.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☐ Petition for Extension of Time
- ☐ Notice of Change of Address
- ☐ Fee Authorization Form authorizing a deposit account debit in the amount of \$
for fees ().
- ☐ Other:

Respectfully submitted,



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Date: February 16, 2005